

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 02-1959**

---

MOHAMAD MOHAFUZUL KARIM,

Plaintiff - Appellant,

versus

STAPLES, INCORPORATED,

Defendant - Appellee.

---

Appeal from the United States District Court for the District of Maryland, at Baltimore. Andre M. Davis, District Judge. (CA-01-1976-AMD)

---

Submitted: March 27, 2003

Decided: April 28, 2003

---

Before TRAXLER, KING, and GREGORY, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Mohamad Mohafuzul Karim, Appellant Pro Se. Abbey Gail Hairston, Charles Frederick Walters, SEYFARTH SHAW, Washington, D.C., for Appellee.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Mohamad Mohafuzul Karim seeks to appeal the district court's order denying his motion to reopen discovery and granting summary judgment in favor of Staples on his hostile work environment claim. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on July 23, 2002. The notice of appeal was filed on August 23, 2002. Thus, Karim's notice of appeal was filed one day out of time. Because Karim failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED